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*Attorneys for Class Plaintiffs*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE TRANSPACIFIC PASSENGER  
AIR TRANSPORTATION ANTITRUST  
LITIGATION

Case No.: C 07-5634 CRB

MDL No. 1913

This Document Relates to:  
  
ALL ACTIONS

**AMENDED REQUEST FOR  
INTERNATIONAL JUDICIAL  
ASSISTANCE REGARDING TAKING  
DEPOSITION OF HUANG CHENG ENG  
(LETTER ROGATORY)**

1 TO THE REGISTRAR OF THE SUPREME COURT OF SINGAPORE:

2 WHEREAS, the above-captioned coordinated proceedings are pending before this  
3 Court;

4 WHEREAS, the Plaintiffs allege that Defendants engaged in anticompetitive conduct  
5 concerning the pricing of passenger fares and fuel surcharges on routes between the U.S. and  
6 Asia/Oceania;

7 WHEREAS, it is necessary for the purposes of justice and for the due determination of  
8 the matters in dispute between the parties that the following person should be examined as a  
9 witness upon oath touching such matters, namely Huang Cheng Eng, Townhouse Apartments,  
10 139 Cavenagh Road, #09-01, Singapore (229627), and it appears that such witness is resident  
11 within your jurisdiction:

12 **I. REQUEST**

13 The United States District Court Northern District of California presents its compliments  
14 to the Supreme Court of Singapore, and requests international assistance to compel testimony to  
15 be used in a civil proceeding before this Court in the above-captioned matter.

16 This Court requests, for the reasons previously stated, that the Supreme Court of  
17 Singapore summon Huang Cheng Eng, Townhouse Apartments, 139 Cavenagh Road, #09-01,  
18 Singapore (229627), to attend at such time and place as you shall appoint, before you or such  
19 other person as according to your procedure is competent to take the examination of witnesses,  
20 and that you will cause such witness to be examined orally on the interrogatories and topics  
21 which are attached to this letter of request as Attachment A, in the presence of the agents of the  
22 plaintiffs and defendants on due notice given.

23 In addition, this Court requests that you will permit the agents of both the plaintiffs and  
24 defendants to examine upon interrogatories and oral examination on the interrogatories and  
25 topics which are attached to this letter of request as Attachment A or arising out of the answers  
26 thereto, such witness, and permit the cross-examination of the said witness upon cross-  
27 interrogatories and oral examination, and permit the party producing the witness for

1 examination to examine him orally, or permit the agents of both the plaintiffs and defendants to  
2 attend the deposition and taken evidence by video-link.

3 In addition, this Court requests that you will be pleased to cause the evidence of the said  
4 witness (and the answers of the said witness and all additional oral questions, whether on  
5 examination, cross-examination or re-examination) to be reduced into writing and all books,  
6 letters, papers and documents produced on such examination to be duly marked for  
7 identification, and that you will be further pleased to authenticate such examination by the seal  
8 of your tribunal or in such other way as is in accordance with your procedure and to return it  
9 together with the interrogatories and cross-interrogatories and a note of the charges and  
10 expenses payable in respect of the execution of this request through the counsel from whom the  
11 same was received for transmission to the United States District Court of the Northern District  
12 of California.

13 In addition, this Court requests that you will cause the agents of the parties appointed to  
14 be informed of the date and place where the examination is to take place. Their contact  
15 information is as follows:

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17 Jayne A. Peeters  
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24 *Attorneys for Plaintiff Rachel Diller*

25 ///

26 ///

27 ///

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## **II. FACTS OF THE CASE**

Plaintiffs Micah Abrams, Meor Adlin, Franklyn Ajaye, Andrew Barton, Brenden G. Maloof, Rachel Diller, Scott Frederick, David Kuo, Dickson Leung, Donald Wortman, Harley Oda, Roy Onomura, Shinsuke Kobayashi, Patricia Lee, Nancy Kajiyama, on her own behalf and on behalf of Noboru Kajiyama [deceased], Della Ewing Chow, James Kawaguchi, individually and on behalf of all others similarly situated, filed the complaint in this action under Section 16 of the Clayton Act, (15 U.S.C. §26). The Second Amended Class Action Complaint in this matter seeks to obtain injunctive relief for violations of Section 1 of the Sherman Antitrust Act (15 U.S.C. §1) and to recover damages and/or restitution based on claims that Defendants Air France, Air New Zealand, All Nippon Airways, Cathay Pacific Airways, China Airlines, Eva Airways, Japan Airlines International, KLM Royal Dutch Airline, Malaysia Airlines, Malaysian Airline System Berhad, Philippine Airlines, Inc., Qantas Airways, Ltd., Singapore Airlines, Thai Airways, United Airlines, and Vietnam Airlines engaged in anticompetitive conduct concerning the pricing of passenger fares and fuel surcharges on routes between the U.S. and Asia/Oceania from approximately January 2000 through at least July 2011 that caused plaintiffs and individuals similarly situated to pay artificially high and non-competitive prices for tickets for air passenger travel in the United States.

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**III. RECIPROCITY**

The United States District Court for the Northern District of California would be willing to provide similar assistance to the Supreme Court of Singapore.

**IV. REIMBURSEMENT FOR COSTS**

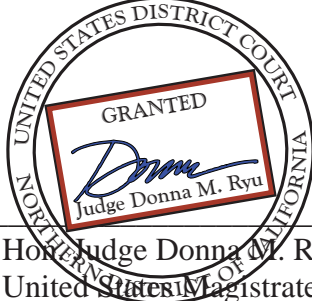
Counsel for the Plaintiffs have represented that they are willing to reimburse the Supreme Court of Singapore for costs incurred in executing this Letter Rogatory in an amount not to exceed Two Thousand dollars (\$2000.00) in United States Dollars. If the costs for executing this Letter Rogatory will exceed USD \$2000, please contact counsel for the Plaintiffs before exceeding this amount. Their contact information is as follows:

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The Court extends to the Registrar of the Supreme Court of Singapore assurances of its highest consideration.

Dated: 4/17/2014

By:   
Honorable Judge Donna M. Ryu  
United States District Judge

**Attachment A: Questions for Huang Cheng Eng**

1. What is your full name?
2. When were you employed with Singapore Airlines?
  - a. What positions did you hold at Singapore Airlines?
  - b. What were the dates that you held each of those positions?
  - c. What were your responsibilities and duties for each of those positions?
  - d. Who did you report to?
  - e. Who reported to you?
  - f. Were you involved in setting Singapore Airlines' fuel surcharges?
    - i. If yes, how did Singapore Airlines decide to initially impose a fuel surcharge and in what amount?
    - ii. If yes, what were the criteria used to determine the fuel surcharges imposed?
    - iii. If yes, how did Singapore Airlines decide how much to change the fuel surcharge for Singapore Airlines?
    - iv. If yes, did Singapore Airlines ever change the fuel surcharge for Singapore Airlines flights flying to and from the United States?
    - v. If yes, when did Singapore Airlines make those changes to fuel surcharges for Singapore Airlines flights flying to and from the United States?
    - vi. If yes, who at Singapore Airlines had authority to change or control the Singapore Airlines fuel surcharge?
      - (a) What was their title?
      - (b) When were they employed with Singapore Airlines?
      - (c) Who did they report to?
      - (d) Who were their direct reports?
    - vii. If no, who did have authority?
      - (a) What was their title?

1 (b) When were they employed with Singapore Airlines?

2 (c) Who did they report to?

3 (d) Who were their direct reports?

4 (e) Did you ever communicate with these people about changing fuel  
5 surcharges for Singapore Airline flights to or from the United States?

6 If yes, when?

7 If yes, what was said?

8 g. Did the fuel charges Singapore charged vary at any given time? E.g., by flight  
9 time, distance, ticket class, destination?

10 i. If so, when did they vary?

11 ii. If so, why did they vary?

12 iii. Was there every any tiered system for assessing fuel surcharges? How as  
13 that structured? When?

14 h. Were you involved in setting Singapore Airlines' fares?

15 i. If yes, what were the criteria used to determine Singapore Airlines' fares?

16 ii. If yes, how did Singapore Airlines decide how much to change the fares  
17 for Singapore Airlines?

18 iii. If yes, did Singapore Airlines ever change the fares for Singapore  
19 Airlines flights flying to and from the United States?

20 iv. If yes, when did Singapore Airlines make those changes to fares for  
21 Singapore Airlines flights flying to and from the United States?

22 v. If yes, who else at Singapore Airlines had authority to change or control  
23 the Singapore Airlines fares?

24 What was their title?

25 When were they employed with Singapore Airlines?

26 Who did they report to?

27 Who were their direct reports?

1                   vi.     If no, who did have authority to change or control the Singapore Airlines  
2     fares?

3                   What was their title?

4                   When were they employed with Singapore Airlines?

5                   Who did they report to?

6                   Who were their direct reports?

7                   Did you ever communicate with these people about changing fuel  
8     surcharges for Singapore Airline flights to or from the United States?

9                   If yes, when?

10                  If yes, what was said?

11     3.     Were you employed with other airlines?

12               a.     If yes, with what other airlines were you employed?

13               b.     If yes, what dates were you employed at each of the other airlines?

14               c.     If yes, what positions did you hold at each of the other airlines?

15               d.     If yes, what were your responsibilities/duties at each of the other airlines?

16     4.     When you were employed at Singapore Airlines, did you directly communicate with  
17     other airlines regarding fuel surcharges?

18               a.     What airlines?

19               b.     With whom did you communicate?

20               c.     When did you communicate with them?

21               d.     What was communicated?

22               e.     Why?

23     5.     When you were employed at Singapore Airlines, did you directly communicate with  
24     other airlines regarding fares?

25               a.     What airlines?

26               b.     With whom did you communicate?

27               c.     When did you communicate with them?



- 1 d. What was communicated?
- 2 e. Why?
- 3 6. Were you aware of anyone else at Singapore Airlines who directly communicates with
- 4 other airlines regarding fuel surcharges?
- 5 a. Who? What were their names and titles?
- 6 b. What airlines and with whom did they communicate with?
- 7 c. When did they communicate with the other airlines?
- 8 d. What was communicated?
- 9 e. Why?
- 10 7. Were you aware of anyone else at Singapore Airlines who directly communicates with
- 11 other airlines regarding fares?
- 12 a. Who? What were their names and titles?
- 13 b. What airlines and with whom did they communicate with?
- 14 c. When did they communicate with the other airlines?
- 15 d. What was communicated?
- 16 e. Why?
- 17 8. Did Singapore Airlines coordinate with other airlines regarding whether to impose fuel
- 18 surcharges?
- 19 a. If yes, describe all such instances.
- 20 b. If yes, did these fuel surcharges affect flights to or from the United States?
- 21 9. Did Singapore Airlines coordinate with other airlines regarding the amount of fuel
- 22 surcharges to be imposed on any given flight?
- 23 a. If yes, describe all such instances.
- 24 b. If yes, did these fuel surcharges affect flights to or from the United States?
- 25 10. Did Singapore Airlines coordinate with other airlines regarding the amount of fares to be
- 26 charged for any given flight?
- 27 a. If yes, describe all such instances.

- 1           b.       If yes, did these fares affect flights to or from the United States?
- 2   11.     Did Singapore Airlines agree with other airlines to raise fuel surcharges if another
- 3   airline raised their fuel surcharge?
- 4           a.       If yes, describe all such instances.
- 5           b.       If yes, did these fuel surcharges affect flights to or from the United States?
- 6   12.     Did Singapore Airlines agree with other airlines to raise fares if another airline raised
- 7   their fares?
- 8           a.       If yes, describe all such instances.
- 9           b.       If yes, did these fares affect flights to or from the United States?
- 10   13.     When you were employed at Singapore Airlines, did you or anyone who reported to you
- 11   communicate with Cathay Pacific Airways regarding fuel surcharges?
- 12           a.       If yes, who at Singapore Airlines participated in these communications? What
- 13   were their names and titles?
- 14           b.       If yes, who at Cathay Pacific participated in these communications? What were
- 15   their names and titles?
- 16           c.       How did these communications take place? I.E. by telephone, over email, in
- 17   person, facsimile?
- 18           d.       When did these communications take place?
- 19           e.       What was communicated?
- 20           f.       Did Singapore Airlines agree with Cathay Pacific Airways to impose fuel
- 21   surcharges if Cathay Pacific Airways raised their fuel surcharge?
- 22               (1)     If yes, did these fuel surcharges affect/concern flights to or from the
- 23   United States? How?
- 24               (2)     What flights did these fuel surcharges affect/concern? How?
- 25           g.       Did Singapore Airlines agree with Cathay Pacific Airways to coordinate the
- 26   amount of fuel surcharges to be imposed on any given flight?
- 27

1 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
2 United States? How?

3 (2) What flights did these fuel surcharges affect/concern? How?

4 h. Did Singapore Airlines agree with Cathay Pacific Airways to raise fuel  
5 surcharges if Cathay Pacific Airways raised their fuel surcharge?

6 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
7 United States? How?

8 (2) What flights did these fuel surcharges affect/concern? How?

9 14. When you were employed at Singapore Airlines, did you or anyone who reported to you  
10 communicate with Cathay Pacific Airways regarding fares?

11 a. If yes, who at Singapore Airlines participated in these communications? What  
12 were their names and titles?

13 b. If yes, who at Cathay Pacific participated in these communications? What were  
14 their names and titles?

15 c. How did these communications take place? I.E. by telephone, over email, in  
16 person, facsimile?

17 d. When did these communications take place?

18 e. What was communicated?

19 f. Did Singapore Airlines agree with Cathay Pacific Airways to coordinate the  
20 amount of fares to be imposed on any given flight?

21 (1) If yes, did these fares affect/concern flights to or from the United States?  
22 How?

23 (2) What flights did these fares affect/concern? How?

24 g. Did Singapore Airlines agree with Cathay Pacific Airways to raise fares if  
25 Cathay Pacific Airways raised their fares?

26 (1) If yes, did these fares affect/concern flights to or from the United States?  
27 How?

1 (2) What flights did these fares affect/concern? How?

2 15. When you were employed at Singapore Airlines, did you or anyone who reported to you  
3 communicate with All Nippon Airways regarding fuel surcharges?

4 a. If yes, who at Singapore Airlines participated in these communications? What  
5 were their names and titles?

6 b. If yes, who All Nippon Airways participated in these communications? What  
7 were their names and titles?

8 c. How did these communications take place? I.E. by telephone, over email, in  
9 person, facsimile?

10 d. When did these communications take place?

11 e. What was communicated?

12 f. Did Singapore Airlines agree with All Nippon Airways to impose fuel  
13 surcharges if All Nippon Airways raised their fuel surcharge?

14 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
15 United States? How?

16 (2) What flights did these fuel surcharges affect/concern? How?

17 g. Did Singapore Airlines agree with All Nippon Airways to coordinate the amount  
18 of fuel surcharges to be imposed on any given flight?

19 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
20 United States? How?

21 (2) What flights did these fuel surcharges affect/concern? How?

22 h. Did Singapore Airlines agree with All Nippon Airways to raise fuel surcharges if  
23 All Nippon Airways raised their fuel surcharge?

24 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
25 United States? How?

26 (2) What flights did these fuel surcharges affect/concern? How?

27

28

1 16. When you were employed at Singapore Airlines, did you or anyone who reported to you  
2 communicate with All Nippon Airways regarding fares?

3 a. If yes, who at Singapore Airlines participated in these communications? What  
4 were their names and titles?

5 b. If yes, who at All Nippon Airways participated in these communications? What  
6 were their names and titles?

7 c. How did these communications take place? I.E. by telephone, over email, in  
8 person, facsimile?

9 d. When did these communications take place?

10 e. What was communicated?

11 f. Did Singapore Airlines agree with All Nippon Airways to coordinate the amount  
12 of fares to be imposed on any given flight?

13 (1) If yes, did these fares affect/concern flights to or from the United States?

14 How?

15 (2) What flights did these fares affect/concern? How?

16 g. Did Singapore Airlines agree with All Nippon Airways to raise fares if All  
17 Nippon Airways raised their fares?

18 (1) If yes, did these fares affect/concern flights to or from the United States?

19 How?

20 (2) What flights did these fares affect/concern? How?

21 h. Are you aware that All Nippon Airways has pleaded guilty to charges that it  
22 conspired to fix certain types of passenger fares? Have you reviewed the Plea Agreement?

23 17. When you were employed at Singapore Airlines, did you or anyone who reported to you  
24 communicate with China Airlines regarding fuel surcharges?

25 a. If yes, who at Singapore Airlines participated in these communications? What  
26 were their names and titles?

b. If yes, who China Airlines participated in these communications? What were their names and titles?

c. How did these communications take place? I.E. by telephone, over email, in person, facsimile?

d. When did these communications take place?

e. What was communicated?

f. Did Singapore Airlines agree with China Airlines to impose fuel surcharges if China Airlines raised their fuel surcharge?

(1) If yes, did these fuel surcharges affect/concern flights to or from the United States? How?

(2) What flights did these fuel surcharges affect/concern? How?

g. Did Singapore Airlines agree with China Airlines to coordinate the amount of fuel surcharges to be imposed on any given flight?

(1) If yes, did these fuel surcharges affect/concern flights to or from the United States? How?

(2) What flights did these fuel surcharges affect/concern? How?

h. Did Singapore Airlines agree with China Airlines to raise fuel surcharges if China Airlines raised their fuel surcharge?

(1) If yes, did these fuel surcharges affect/concern flights to or from the United States? How?

(2) What flights did these fuel surcharges affect/concern? How?

18. When you were employed at Singapore Airlines, did you or anyone who reported to you communicate with China Airlines regarding fares?

a. If yes, who at Singapore Airlines participated in these communications? What were their names and titles?

b. If yes, who at China Airlines participated in these communications? What were their names and titles?

1 c. How did these communications take place? I.E. by telephone, over email, in  
2 person, facsimile?

3 d. When did these communications take place?

4 e. What was communicated?

5 f. Did Singapore Airlines agree with China Airlines to coordinate the amount of  
6 fares to be imposed on any given flight?

7 (1) If yes, did these fares affect/concern flights to or from the United States?

8 How?

9 (2) What flights did these fares affect/concern? How?

10 g. Did Singapore Airlines agree with China Airlines to raise fares if China Airlines  
11 raised their fares?

12 (1) If yes, did these fares affect/concern flights to or from the United States?

13 How?

14 (2) What flights did these fares affect/concern? How?

15 19. When you were employed at Singapore Airlines, did you or anyone who reported to you  
16 communicate with Malaysia Airlines regarding fuel surcharges?

17 a. If yes, who at Singapore Airlines participated in these communications? What  
18 were their names and titles?

19 b. If yes, who Malaysia Airlines participated in these communications? What were  
20 their names and titles?

21 c. How did these communications take place? I.E. by telephone, over email, in  
22 person, facsimile?

23 d. When did these communications take place?

24 e. What was communicated?

25 f. Did Singapore Airlines agree with Malaysia Airlines to impose fuel surcharges if  
26 Malaysia Airlines raised their fuel surcharge?

1 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
2 United States? How?

3 (2) What flights did these fuel surcharges affect/concern? How?

4 g. Did Singapore Airlines agree with Malaysia Airlines to coordinate the amount of  
5 fuel surcharges to be imposed on any given flight?

6 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
7 United States? How?

8 (2) What flights did these fuel surcharges affect/concern? How?

9 h. Did Singapore Airlines agree with Malaysia Airlines to raise fuel surcharges if  
10 Malaysia Airlines raised their fuel surcharge?

11 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
12 United States? How?

13 (2) What flights did these fuel surcharges affect/concern? How?

14 20. When you were employed at Singapore Airlines, did you or anyone who reported to you  
15 communicate with Malaysia Airlines regarding fares?

16 a. If yes, who at Singapore Airlines participated in these communications? What  
17 were their names and titles?

18 b. If yes, who at Malaysia Airlines participated in these communications? What  
19 were their names and titles?

20 c. How did these communications take place? I.E. by telephone, over email, in  
21 person, facsimile?

22 d. When did these communications take place?

23 e. What was communicated?

24 f. Did Singapore Airlines agree with Malaysia Airlines to coordinate the amount of  
25 fares to be imposed on any given flight?

26 (1) If yes, did these fares affect/concern flights to or from the United States?  
27 How?



1 (2) What flights did these fares affect/concern? How?

2 g. Did Singapore Airlines agree with Malaysia Airlines to raise fares if Malaysia  
3 Airlines raised their fares?

4 (1) If yes, did these fares affect/concern flights to or from the United States?  
5 How?

6 (2) What flights did these fares affect/concern? How?

7 21. When you were employed at Singapore Airlines, did you or anyone who reported to you  
8 communicate with Philippine Airlines regarding fuel surcharges?

9 a. If yes, who at Singapore Airlines participated in these communications? What  
10 were their names and titles?

11 b. If yes, who Philippine Airlines participated in these communications? What were  
12 their names and titles?

13 c. How did these communications take place? I.E. by telephone, over email, in  
14 person, facsimile?

15 d. When did these communications take place?

16 e. What was communicated?

17 f. Did Singapore Airlines agree with Philippine Airlines to impose fuel surcharges  
18 if Philippine Airlines raised their fuel surcharge?

19 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
20 United States? How?

21 (2) What flights did these fuel surcharges affect/concern? How?

22 g. Did Singapore Airlines agree with Philippine Airlines to coordinate the amount  
23 of fuel surcharges to be imposed on any given flight?

24 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
25 United States? How?

26 (2) What flights did these fuel surcharges affect/concern? How?

27

28 -16-

1 h. Did Singapore Airlines agree with Philippine Airlines to raise fuel surcharges if  
2 Philippine Airlines raised their fuel surcharge?

3 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
4 United States? How?

5 (2) What flights did these fuel surcharges affect/concern? How?

6 22. When you were employed at Singapore Airlines, did you or anyone who reported  
7 to you communicate with Philippine Airlines regarding fares?

8 a. If yes, who at Singapore Airlines participated in these communications? What  
9 were their names and titles?

10 b. If yes, who at Philippine Airlines participated in these communications? What  
11 were their names and titles?

12 c. How did these communications take place? I.E. by telephone, over email, in  
13 person, facsimile?

14 d. When did these communications take place?

15 e. What was communicated?

16 f. Did Singapore Airlines agree with Philippine Airlines to coordinate the amount  
17 of fares to be imposed on any given flight?

18 (1) If yes, did these fares affect/concern flights to or from the United States?  
19 How?

20 (2) What flights did these fares affect/concern? How?

21 g. Did Singapore Airlines agree with Philippine Airlines to raise fares if Philippine  
22 Airlines raised their fares?

23 (1) If yes, did these fares affect/concern flights to or from the United States?  
24 How?

25 (2) What flights did these fares affect/concern? How?

26 23. When you were employed at Singapore Airlines, did you or anyone who reported  
27 to you communicate with Thai Airways regarding fuel surcharges?

1 a. If yes, who at Singapore Airlines participated in these communications? What  
2 were their names and titles?

3 b. If yes, who Thai Airways participated in these communications? What were their  
4 names and titles?

5 c. How did these communications take place? I.E. by telephone, over email, in  
6 person, facsimile?

7 d. When did these communications take place?

8 e. What was communicated?

9 f. Did Singapore Airlines agree with Thai Airways to impose fuel surcharges if  
10 Thai Airways raised their fuel surcharge?

11 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
12 United States? How?

13 (2) What flights did these fuel surcharges affect/concern? How?

14 g. Did Singapore Airlines agree with Thai Airways to coordinate the amount of fuel  
15 surcharges to be imposed on any given flight?

16 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
17 United States? How?

18 (2) What flights did these fuel surcharges affect/concern? How?

19 h. Did Singapore Airlines agree with Thai Airways to raise fuel surcharges if Thai  
20 Airways raised their fuel surcharge?

21 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
22 United States? How?

23 (2) What flights did these fuel surcharges affect/concern? How?

24 24. When you were employed at Singapore Airlines, did you or anyone who reported to you  
25 communicate with Thai Airways regarding fares?

26 a. If yes, who at Singapore Airlines participated in these communications? What  
27 were their names and titles?

b. If yes, who at Thai Airways participated in these communications? What were their names and titles?

c. How did these communications take place? I.E. by telephone, over email, in person, facsimile?

d. When did these communications take place?

e. What was communicated?

f. Did Singapore Airlines agree with Thai Airways to coordinate the amount of fares to be imposed on any given flight?

(1) If yes, did these fares affect/concern flights to or from the United States?

## How?

(2) What flights did these fares affect/concern? How?

g. Did Singapore Airlines agree with Thai Airways to raise fares if Thai Airways raised their fares?

(1) If yes, did these fares affect/concern flights to or from the United States?

## How?

(2) What flights did these fares affect/concern? How?

25. When you were employed at Singapore Airlines, did you or anyone who reported to you communicate with Vietnam Airlines regarding fuel surcharges?

a. If yes, who at Singapore Airlines participated in these communications? What were their names and titles?

b. If yes, who Vietnam Airlines participated in these communications? What were their names and titles?

c. How did these communications take place? I.E. by telephone, over email, in person, facsimile?

d. When did these communications take place?

e. What was communicated?

1 f. Did Singapore Airlines agree with Vietnam Airlines to impose fuel surcharges if  
2 Vietnam Airways raised their fuel surcharge?

3 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
4 United States? How?

5 (2) What flights did these fuel surcharges affect/concern? How?

6 g. Did Singapore Airlines agree with Vietnam Airlines to coordinate the amount of  
7 fuel surcharges to be imposed on any given flight?

8 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
9 United States? How?

10 (2) What flights did these fuel surcharges affect/concern? How?

11 h. Did Singapore Airlines agree with Vietnam Airlines to raise fuel surcharges if  
12 Vietnam Airlines raised their fuel surcharge?

13 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
14 United States? How?

15 (2) What flights did these fuel surcharges affect/concern? How?

16 26. When you were employed at Singapore Airlines, did you or anyone who reported to you  
17 communicate with Vietnam Airlines regarding fares?

18 a. If yes, who at Singapore Airlines participated in these communications? What  
19 were their names and titles?

20 b. If yes, who at Vietnam Airlines participated in these communications? What  
21 were their names and titles?

22 c. How did these communications take place? I.E. by telephone, over email, in  
23 person, facsimile?

24 d. When did these communications take place?

25 e. What was communicated?

26 f. Did Singapore Airlines agree with Vietnam Airlines to coordinate the amount of  
27 fares to be imposed on any given flight?

- 1 (1) If yes, did these fares affect/concern flights to or from the United States?
- 2 g. Did Singapore Airlines agree with Vietnam Airlines to raise fares if Vietnam
- 3 Airlines raised their fares?
- 4 (1) If yes, did these fares affect/concern flights to or from the United States?
- 5 27. When you were employed at Singapore Airlines, did you or anyone who reported to you
- 6 communicate with Japan Airlines regarding fuel surcharges?
- 7 a. If yes, who at Singapore Airlines participated in these communications? What
- 8 were their names and titles?
- 9 b. If yes, who Japan Airlines participated in these communications? What were
- 10 their names and titles?
- 11 c. How did these communications take place? I.E. by telephone, over email, in
- 12 person, facsimile?
- 13 d. When did these communications take place?
- 14 e. What was communicated?
- 15 f. Did Singapore Airlines agree with Japan Airlines to impose fuel surcharges if
- 16 Japan Airlines raised their fuel surcharge?
- 17 (1) If yes, did these fuel surcharges affect/concern flights to or from the
- 18 United States? How?
- 19 (2) What flights did these fuel surcharges affect/concern? How?
- 20 g. Did Singapore Airlines agree with Japan Airlines to coordinate the amount of
- 21 fuel surcharges to be imposed on any given flight?
- 22 (1) If yes, did these fuel surcharges affect/concern flights to or from the
- 23 United States? How?
- 24 (2) What flights did these fuel surcharges affect/concern? How?
- 25 h. Did Singapore Airlines agree with Japan Airlines to raise fuel surcharges if Japan
- 26 Airlines raised their fuel surcharge?
- 27

1 (1) If yes, did these fuel surcharges affect/concern flights to or from the  
2 United States? How?

3 (2) What flights did these fuel surcharges affect/concern? How?

4 28. When you were employed at Singapore Airlines, did you or anyone who reported to you  
5 communicate with Japan Airlines regarding fares?

6 a. If yes, who at Singapore Airlines participated in these communications? What  
7 were their names and titles?

8 b. If yes, who at Japan Airlines participated in these communications? What were  
9 their names and titles?

10 c. How did these communications take place? I.E. by telephone, over email, in  
11 person, facsimile?

12 d. When did these communications take place?

13 e. What was communicated?

14 f. Did Singapore Airlines agree with Japan Airlines to coordinate the amount of  
15 fares to be imposed on any given flight?

16 (1) If yes, did these fares affect/concern flights to or from the United States?  
17 How?

18 (2) What flights did these fares affect/concern? How?

19 g. Did Singapore Airlines agree with Japan Airlines to raise fares if Japan Airlines  
20 raised their fares?

21 (1) If yes, did these fares affect/concern flights to or from the United States?  
22 How?

23 (2) What flights did these fares affect/concern? How?

24 29. Do you have an understanding of the allegations in this lawsuit? What is your  
25 understanding?

26 a. Are you aware that plaintiffs in this lawsuit allege that Singapore Airlines  
27 conspired to fix the price of fuel surcharges?

1           b.       Are you aware that plaintiffs in this lawsuit allege that Singapore airlines  
2 conspired to fix the prices of passenger airfares?

3 30.    Did you receive any antitrust training while at Singapore Airlines?

4           a.       When? How? By Whom?

5           b.       Describe the training.

6 31.    With respect to each document identified in ATTACHMENT B, a copy of which will be  
7 provided to you, answer the following:

8           a.       Are you familiar with this document?

9           b.       Have you seen this document before?

10          c.       Please explain what this document is.

11          d.       When did you first see this document?

12               (1)    Was this in connection with your employment at SIA?

13               (2)    If yes, what was your position and responsibilities at the time?

14          e.       Are you the author of this document?

15               (1)    Were you in any way involved in the preparation of this document?

16               (2)    Explain your involvement.

17               (3)    If applicable, what does it mean to be “sponsored” or “approved” by you?

18               (4)    Did you send this document to anyone?

19                   i.     If yes, who?

20                   ii.    If yes, why?

21          f.       What was the purpose of this document?

22          g.       Did you receive this document?

23               (1)    If yes, why was it sent to you?

24               (2)    If yes, how did you respond?

25          h.       Please explain the roles of the other individuals named in this document at the  
26 time this document originated.

27               (1)    What company did each such individual work for?



- 1 (2) Was the company a competitor of SIA?
- 2 (3) What position did each such individual hold and what were his or her
- 3 responsibilities?
- 4 (4) What was your relationship with each such individual?
- 5 (5) How frequently did you communicate with each such individual?
- 6 (6) How did you communicate with him or her, e.g., letter, email, telephone,
- 7 in person, etc.
- 8 i. Were there any follow-up communications, e.g., letter, email, telephone, in
- 9 person, etc., to this document?
- 10 j. Did you discuss this document with anyone at SIA?
- 11 (1) If yes, with whom (name, position, responsibilities)?
- 12 (2) If yes, when?
- 13 (3) If yes, please describe your discussions.
- 14 (4) If yes, did you or anyone at SIA come to any conclusions?
- 15 k. Did you discuss this document with anyone outside of SIA?
- 16 (1) If yes, with whom (name, company, position, responsibilities)?
- 17 (2) If yes, when?
- 18 (3) If yes, please describe your discussions.
- 19 (4) If yes, did you come to any agreement regarding the matters described in
- 20 the document?
- 21 (5) Did you come to any agreement regarding future conduct of SIA and/or
- 22 any competitor?
- 23 l. Explain the basis for any calculations contained in the document.
- 24
- 25
- 26
- 27

**ATTACHMENT B**

Exhibit 1 is a copy of an email string the last of which is from Dirk van Nieuwkerk to Ee Kim Lye regarding "AW: Good Morning", dated May 12, 2004, produced by SIA and identified as SIA\_11\_000198616 - SIA\_11\_000198617.

Exhibit 2 is a copy of an email string the last of which is from Subhas Menon to Kian Hai Cheng etc. regarding "Fw: Fuel surcharge", dated May 12, 2004, produced by SIA and identified as SIA\_08\_000148431.

Exhibit 3 is a copy of a paper entitled "IMPLEMENTATION OF FUEL SURCHARGE", dated May 13, 2004, produced by SIA and identified as SIA\_11\_000026793 - SIA\_11\_000026794.

Exhibit 4 is a copy of a paper entitled "IMPLEMENTATION OF FUEL SURCHARGE", dated May 21, 2004, produced by SIA and identified as SIA\_11\_000128937 - SIA\_11\_000128941.

Exhibit 5 is a copy of an email string the last of which is from Ee Kim Lye to Constance Wong regarding "JAPAN FUEL SURCHARGE", dated December 30, 2004, produced by SIA and identified as SIA\_11\_000211726 - SIA\_11\_000211731.

Exhibit 6 is a copy of an email string the last of which is from Huang Cheng Eng to Ee Kim Lye regarding "fuel surcharge", dated September 21, 2005, produced by SIA and identified as SIA\_11\_000197434 - SIA\_11\_000197435.

Exhibit 7 is a copy of an email string the last of which is from Huang Cheng Eng to YauSeng Chin regarding "SQ JAPAN FUEL SURCHARGE APR-SEP06", dated February 22, 2006, produced by SIA and identified as SIA\_11\_000046149 - SIA\_11\_000046154.

Exhibit 8 is a copy of an email string the last of which is from PheeTeik Yeoh to Ee Kim Lye regarding "SQ JAPAN FUEL SURCHARGE APR-SEP06", dated February 27, 2006, produced by SIA and identified as SIA\_11\_000046659 - SIA\_11\_000046668.

Exhibit 9 is a copy of an email string the last of which is from PheeTeik Yeoh to Ee Kim Lye regarding "SQ JAPAN FUEL SURCHARGE", dated March 1, 2006, produced by SIA and identified as SIA\_11\_000047272 - SIA\_11\_000047282.

Exhibit 10 is a copy of an email string the last of which is from Yvette Lee to PheeTeik Yeoh etc. regarding "JAPAN FUEL SURCHARGE", dated May 2, 2007, produced by SIA and identified as SIA\_11\_000247518 - SIA\_11\_000247521.

Exhibit 11 is a copy of a paper entitled "BOARD BOOK, ALLIANCE MANAGEMENT BOARD MEETING", dated September 5-6, 2007, produced by ANA and identified as ANA-00612419 - ANA-00612433.

Exhibit 12 is a copy of a paper entitled "BOARD BOOK, ALLIANCE MANAGEMENT BOARD MEETING", dated July 15-16, 2009.

Exhibit 13 is a copy of a paper entitled "SIA FUEL SURCHARGE - ROLLBACK PROGRAM", dated February 2005, produced by SIA and identified as SIA\_11\_000037778 - SIA\_11\_000037780.

1 Exhibit 14 is a copy of a paper entitled "SIA Management Committee Meeting 16/06, August  
2 2006, REVIEW OF SIA'S FUEL SURCHARGES", produced by SIA and identified as  
SIA\_11\_000055185 - SIA\_11\_000055187.

3 Exhibit 15 is a copy of a paper entitled "IMPLEMENTATION OF FUEL SURCHARGE",  
4 dated May 13, 2004, produced by SIA and identified as SIA\_11\_000114878 -  
SIA\_11\_000114879.

5 Exhibit 16 is a copy of an email string the last of which is from Huang Cheng Eng to Ee Kim  
6 Lye etc. regarding "filing of fuel surcharge by CX", dated May 19, 2004, produced by SIA and  
identified as SIA\_11\_000112849.

7 Exhibit 17 is a copy of a paper entitled "IMPLEMENTATION OF FUEL SURCHARGE",  
8 dated May 19, 2004, produced by SIA and identified as SIA\_11\_000209750 -  
SIA\_11\_000209752.

9 Exhibit 18 is a copy of a paper entitled "SIA FUEL SURCHARGE", dated October 29, 2004,  
10 produced by SIA and identified as SIA\_11\_000034239 - SIA\_11\_000034253.

11 Exhibit 19 is a copy of a paper entitled "SIA FUEL SURCHARGE - ROLLBACK", dated  
12 February 8, 2005, produced by SIA and identified as SIA\_11\_000037774 -  
SIA\_11\_000037777.

13 Exhibit 20 is a copy of a paper entitled "SIA FUEL SURCHARGE - ROLLBACK  
14 PROGRAM", dated February 18, 2005, produced by SIA and identified as SIA\_11\_000102775  
- SIA\_11\_000102779.

15 Exhibit 21 is a copy of an email string the last of which is from Ian Lorigan to Ee Kim Lye and  
16 Constance Wong regarding "Fuel surcharge", dated July 14, 2005, produced by SIA and  
identified as SIA\_11\_000111704 - SIA\_11\_000111708.

17 Exhibit 22 is a copy of an email string the last of which is from LikHsin Lee to Constance  
18 Wong etc. regarding "SQ China: Fuel Surcharge", dated September 23, 2005, produced by SIA  
and identified as SIA\_11\_000196834 - SIA\_11\_000196835.

19 Exhibit 23 is a copy of an email string the last of which is from PheeTeik Yeoh to Ee Kim Lye  
20 regarding "fuel surcharge", dated September 24, 2005, produced by SIA and identified as  
SIA\_11\_000197431 - SIA\_11\_000197432.

21 Exhibit 24 is a copy of an email string the last of which is from David Goh to Tadashi Sato etc.  
22 regarding "Baggage Harmonization", dated November 28, 2005, produced by SIA and  
identified as SIA\_06\_000032877 - SIA\_06\_000032880.

23 Exhibit 25 is a copy of an email string the last of which is from Subhas Menon to Ee Kim Lye  
24 etc. regarding "3<sup>rd</sup> Tier Fuel Surcharge", dated July 28, 2006, produced by SIA\_11\_000005593  
- SIA\_11\_000005594.

25 Exhibit 26 is a copy of a paper entitled "SIA Management Committee Meeting 29/06, 03  
26 August 2006, THIRD TIER FUEL SURCHARGE", produced by SIA and identified as  
SIA\_11\_000037758 - SIA\_11\_000037760.

1 Exhibit 27 is a copy of a paper entitled "SIA Management Committee Meeting 33/06, 06  
2 September 2006, REVIEW OF SIA'S FUEL SURCHARGES AND INTRODUCTION OF A  
NEW TIER", produced by SIA and identified as SIA\_11\_000052947 - SIA\_11\_000052949.

3 Exhibit 28 is a copy of a paper entitled "SIA Management Committee Meeting 37/06, 04  
4 October 2006, REVIEW OF SIA'S FUEL SURCHARGES", produced by SIA and identified as  
SIA\_11\_000196256 - SIA\_11\_000196258.

5 Exhibit 29 is a copy of a paper entitled "SIA Management Committee Meeting 27/08,  
6 Wednesday, 09 July 2008, REVIEW OF SIA 3-TIER FUEL SURCHARGE", by SIA and  
identified as SIA\_11\_000070025 - SIA\_11\_000070029.

7 Exhibit 30 is a copy of a paper entitled "SIA Management Committee Meeting xx/08,  
8 Wednesday, 16 July 2008, REVIEW OF SIA 3-TIER FUEL SURCHARGE", produced by SIA  
and identified as SIA\_11\_000029928 - SIA\_11\_000029933.

9 Exhibit 31 is a copy of a paper entitled "SIA Management Committee Meeting 29/08, Tuesday,  
10 22 July 2008, REVIEW OF SIA'S 3-TIER FUEL SURCHARGE", produced by SIA and  
identified as SIA\_11\_000030054 - SIA\_11\_000030059

11 Exhibit 32 is a copy of a paper entitled "SIA Management Committee Meeting 29/08,  
12 Wednesday, 23 July 2008, REVIEW OF SIA'S 3-TIER FUEL SURCHARGE", produced by  
SIA and identified as SIA\_11\_000070032 - SIA\_11\_000070036.

13 Exhibit 33 is a copy of a paper entitled "SIA Management Committee Meeting 32/08,  
14 Wednesday 13 August 2008, REVIEW OF SIA'S FUEL SURCHARGES", produced by SIA  
and identified as SIA\_11\_000029571 - SIA\_11\_000029574.

15 Exhibit 34 is a copy of a paper entitled "SIA Management Committee Meeting 35/08,  
16 Wednesday, 03 September 2008, REVIEW OF SIA'S FUEL SURCHARGES", produced by  
SIA and identified as SIA\_11\_000038447 - SIA\_11\_000038451.

17 Exhibit 35 is a copy of a paper entitled "SIA Management Committee Meeting 35/08, Thursday  
18 04 September 2008, REVIEW OF SIA'S FUEL SURCHARGES", produced by SIA and  
identified as SIA\_11\_000076910 - SIA\_11\_000076914.

19 Exhibit 36 is a copy of a paper entitled "SIA Management Committee Meeting 39/08,  
20 Wednesday, 08 October 2008, REVIEW OF SIA FUEL SURCHARGES", produced by SIA  
and identified as SIA\_11\_000030418 - SIA\_11\_000030422.

21 Exhibit 37 is a copy of an email dated March 16, 1999 from Huang Cheng Eng to Ping Choon  
22 Teh, among others, (and related emails) regarding transpacific routes, produced by SIA and  
identified as SIA\_10\_000004178 - SIA\_10\_000004179.

23 Exhibit 38 is a copy of internal notes dated August 20, 2002 regarding bilateral meeting of SIA  
24 and ANZ, produced by SIA and identified as SIA\_10\_000004003 - SIA\_10\_000004004.

25 Exhibit 39 is a copy of notes from the BAR-Extraordinary Meeting dated March 4, 2003,  
produced by SIA and identified as SIA\_15\_000014578 - SIA\_15\_000014579.

Exhibit 40 is a copy of an email dated March 8, 2004 from Huang Cheng Eng (and related emails) regarding bilateral meeting of SIA and ANA, produced by SIA and identified as SIA\_10\_000004137 – SIA\_10\_000004138.

Exhibit 41 is a copy of an email dated May 10, 2004 from Huang Cheng Eng to Ee Kim Lye, among others, (and related emails) regarding fuel surcharges, produced by SIA and identified as SIA\_15\_000014715 – SIA\_15\_000014716.

Exhibit 42 is a copy of an email dated May 12, 2004 from Huang Cheng Eng to Ee Kim Lye (and related emails and attachments) regarding fuel surcharges, produced by SIA and identified as SIA\_15\_000014786 – SIA\_15\_000014788.

Exhibit 43 is a copy of an email dated May 13, 2004 from Subhas Menon to Jeff Parks, among others, (and related emails) regarding fuel surcharges, produced by SIA and identified as SIA\_07\_000060292 – SIA\_07\_000060295.

Exhibit 44 is a copy of SIA Management Committee Meeting minutes dated May 16, 2004, produced by SIA and identified as SIA\_10\_000005570 – SIA\_10\_000005575.

Exhibit 45 is a copy of an email dated May 19, 2004 from Huang Cheng Eng to Ee Kim Lye, among others, (and related emails) regarding fuel surcharges, produced by SIA and identified as SIA\_15\_000014762 – SIA\_15\_000014764.

Exhibit 46 is a copy of a memorandum from SIA's Management Meeting dated August 18, 2004 regarding SIA's proposal to increase fuel surcharge prepared by Ee Kim Lye and sponsored by Huang Cheng Eng, produced by SIA and identified as SIA\_15\_000008015 – SIA\_15\_000008023.

Exhibit 47 is a copy of an email dated September 1, 2004 from Huang Cheng Eng to Ee Kim Lye, among others, (and related emails) regarding fuel surcharges, produced by SIA and identified as SIA\_11\_000122106 – SIA\_11\_000122113.

Exhibit 48 is a copy of an IATA memorandum dated October 29, 2004 containing the minutes of the Special Meeting of the Passenger Tariff Conferences Steering Group held on September 27, 2004, produced by SIA and identified as SIA\_15\_000008255 – SIA\_15\_000008272.

Exhibit 49 is a copy of SIA Management Committee Meeting minutes dated February 8, 2005, produced by SIA and identified as SIA\_15\_000018591 – SIA\_15\_000018595.

Exhibit 50 is a copy of an email dated April 13, 2005 from Yau Seng Chin to Ee Kim Lye, among others, (and related emails) regarding fuel surcharges, produced by SIA and identified as SIA\_11\_000104587 – SIA\_11\_000104590.

Exhibit 51 is a copy of an email dated May 20, 2005 from Jeanette Juay to Huang Cheng Eng, among others, regarding internal memoranda for United States carrier meetings, produced by SIA and identified as SIA\_15\_000007488.

Exhibit 52 is a copy of an email dated May 31, 2005 from Phee Teik Yeoh to Ee Kim Lye, among others, (and related emails) regarding fuel surcharges, produced by SIA and identified as SIA\_11\_000102873 – SIA\_11\_000102877.

1 Exhibit 53 is a copy of an email dated September 27, 2005 from Stephen Forshaw to Huang  
2 Cheng Eng, among others, (and related emails) regarding fuel surcharges, produced by SIA and  
identified as SIA\_11\_000198162 – SIA\_11\_000198166.

3 Exhibit 54 is a copy of an email dated September 27, 2005 from Huang Cheng Eng to Ping  
4 Choon Teh, among others, (and related emails) regarding fuel surcharges, produced by SIA and  
identified as SIA\_10\_000004510 – SIA\_10\_000004515.

5 Exhibit 55 is a copy of an email dated November 28, 2005 from Huang Cheng Eng to Claudia  
6 Chia (and related emails) regarding bilateral meeting of SIA and Thai Airways, produced by  
SIA and identified as SIA\_10\_000004479 – SIA\_10\_000004481.

7 Exhibit 56 is a copy of BAR Meeting minutes dated January 16, 2006, produced by EVA and  
8 identified as EVA\_TPAC0440252 – EVA\_TPAC0440256.

9 Exhibit 57 is a copy of an email dated March 1, 2006 from Sy Yen Chen to Huang Cheng Eng,  
among others, (and related emails) regarding fuel surcharges, produced by SIA and identified as  
10 SIA\_11\_000047289 – SIA\_11\_000047304.

11 Exhibit 58 is a copy of Plaintiffs' Second Amended Consolidated Class Action Complaint filed  
on November 22, 2013 in *In re Transpacific Passenger Air Transportation Antitrust Litigation*,  
12 United States District Court for the Northern District of California, Case No. 07-CV-5634.

13 Exhibit 59 is a copy of All Nippon Airways Co. Ltd.'s Plea Agreement entered on December 6,  
2010 in *United States of America v. All Nippon Airways Co., Ltd.*, United States District Court  
14 for the District of Columbia, Case No. 10-CR-00295.



**CERTIFICATE OF SERVICE**

I hereby certify that on April 17, 2014, I electronically filed the foregoing AMENDED REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE REGARDING TAKING DEPOSITION OF HUANG CHENG ENG (LETTER ROGATORY) with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record registered for electronic filing.

/s/ Jennie Lee Anderson

Jennie Lee Anderson